



630013005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lee R. Brettman  
Application No.: 09/550,082 Group: 1615  
Filed: April 14, 2000 Examiner: Not assigned  
For: METHOD OF ADMINISTERING AN ANTIBODY

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on 1-26-01	<i>Danielle D. Gath</i>
Date	Signature
<i>Danielle D. Gath</i>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Customer Service Center  
Office of Initial Patent Examination Division  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants are in receipt of a Notice of Incomplete Reply mailed from the Patent Office on January 8, 2001, requiring submission of additional fees on or before January 27, 2001. A copy of the Notice is attached hereto.

Specifically, the basic filing fee (\$690), additional claims fees (\$882), and surcharge under 37 C.F.R. §1.16(e) of \$130 are said to be due, resulting in a balance due of \$820. It is believed that these fees are not due in view of the following.

On December 27, 2000, the following documents were filed under 37 C.F.R. § 1.10:

- (1) Transmittal of Processing and Retention Fee w/copy;
- (2) Copy of Notice to file Missing Parts of Non-Provisional Application Formalities Letter;
- (3) Petition for Extension of Time w/copy; and
- (4) Check in the amount of \$1520.

Copies of items (1) through (3) are enclosed herewith. The Transmittal of Processing and Retention Fee and the Petition for Extension of Time each bear the Express Mail Label No. EL551546037US and date of deposit as Express Mail (December 27, 2000). Enclosed is a copy of the corresponding Express Mail receipt, bearing Express Mail Label No. EL551546037US, a "Date In" of "12 27 00," and a USPS date stamp of "DEC 27 2000" (Exhibit A). These documents were received by the Patent Office as evidenced by the postcard receipt, which was filed with the Reply, a copy of which is enclosed as Exhibit B. The postcard receipt references the Express Mail Label No. EL551546037US, specifically lists items (1) through (4) above, and bears a U.S. PTO date stamp of December 27, 2000, indicating that the items listed thereon were received by the Patent Office prior to expiration of the period for reply (as extended).

Concurrently, a continuation application was filed also under 37 C.F.R. § 1.10. Enclosed is a copy of the postcard receipt for the continuation application (Exhibit C), which references the Express Mail Label No. EL551546037US and bears a U.S. PTO bar code and the Application Number (09/748,960) and filing date (December 27, 2000) assigned to the subject application, indicating that the items listed thereon were received by the Patent Office and accorded the benefit of the date of deposit.

The Petition for Extension of Time (four months) and the requisite fee (\$1390) were filed in the subject application in order to maintain copendency with the continuation application. The Processing and Retention Fee (\$130) was filed, permitting the continuation application to claim the benefit of the filing date of the subject application under 37 C.F.R. § 1.78(a)(1)(iv).

Applicants intend to permit the subject application to go abandoned in favor of Continuing Application No. 09/748,960, filed on December 27, 2000. In view of the filing of a Petition for Extension of time, the applicable fee for same, and the Processing and Retention Fee, it is believed that no fees are due in the subject application.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Helen E. Wendler

Helen E. Wendler

Registration No. 37,964

Tel.: (781) 861-6240

Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date:

*January 26, 2001*



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/550,082	04/14/2000	Lee R. Brettman	1855.2007-000

Helen E Wendler  
Hamilton Brook Smith & Reynolds P C  
Two Militia Drive  
Lexington, MA 02421-4799

## FORMALITIES LETTER



\*OC000000005661239\*

Date Mailed: 01/08/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

## Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 12/27/2000 to the Notice to File Missing Parts (Notice) mailed 06/27/2000 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$.  
    ▪ \$882 for 49 total claims over 20.
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.
- The balance due by applicant is \$ 820.00.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

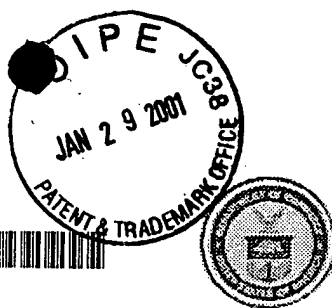
PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/26/2001 SSANDARA 00000077 080380 09550082  
01 FC:101 710.00 CH  
02 FC:103 882.00 CH  
03 FC:105 130.00 CH  
Adjustment date: 08/26/2002 AKELLEY  
02/26/2001 SSANDARA 00000077 080380 09550082  
01 FC:101 710.00 CR  
02 FC:103 882.00 CR  
03 FC:105 130.00 CR

## FORMALITIES LETTER



\*OC00000005206129\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/550,082	04/14/2000	Lee R. Brettman	1855.2007-000

Helen E Wendler  
Hamilton Brook Smith & Reynolds P C  
Two Militia Drive  
Lexington, MA 02421-4799

**DOCKETED** DSD 8-27-00  
FED 8-27-00 Date Mailed: 06/27/2000  
SQD 8-27-00  
CEZ

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

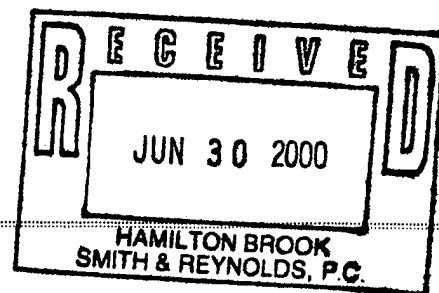
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$882.  
    ■ \$882 for 49 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):  
    ■ A copy of the "Sequence Listing" in computer readable form has not been submitted as required under 37 CFR 1.821(e).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
- - For Technical Assistance, call (703) 287-0200
- - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 1702.



*A copy of this notice **MUST** be returned with the reply.*

*BA TC*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



**POST OFFICE  
TO ADDRESSEE**



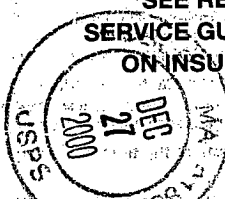
\*EL551546037US\*

**EL551546037US**

**ORIGIN (POSTAL USE ONLY)**

PO ZIP Code <b>01888</b>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In <b>12/27/00</b>	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage <b>\$ 15.75</b>
Time In <b>6:19</b>	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Int'l Alpha Country Code	COD Fee Insurance Fee
Weight lbs. ozs. <b>1 1</b>	Acceptance Clerk Initials <b>115</b>	Total Postage & Fees <b>\$ 15.75</b>
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

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July 1997

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Federal Agency Acct. No. or  
Postal Service Acct. No.

☐ **WAIVER OF SIGNATURE (Domestic Only):** Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent. (If delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

☐ **NO DELIVERY:** ☐ Weekend ☐ Holiday

**FROM: (PLEASE PRINT)**

PHONE **781, 861-6240**

**Helen E. Wendler, Esq.  
HAMILTON BROOK  
SMITH & REYNOLDS PC  
2 MILITIA DR  
LEXINGTON**

**MA 02421-4702**

**1855.2007-001**

**HEW/RHU/ddg**

**TO: (PLEASE PRINT)**

PHONE

**Box PATENT APPLICATION**

**Assistant Commissioner for Patents**

**Washington, DC 20231**

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**EXHIBIT**

**A**

**BEST AVAILABLE COPY**

Initials: HEW/RHU/ddg      Docket No.: 1855.2007-000

Date: 12/27/00

This is to acknowledge receipt of the following document:

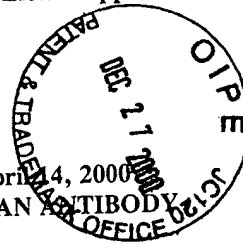
- ☒ Petition for Extension of time w/copy  
with EXPRESS MAIL Label No. EL551546037US
- ☒ Transmittal of Processing and Retention Fee w/copy
- ☒ Copy of Notice to File Missing Parts of Non-Provisional Application Formalities  
Letter
- ☒ Check in the amount of \$1,520.00
- ☐ Authorization to Charge all fees \$[    ]

Applicant:      Lee R. Brettman

Application No.:      09/550,082

Title:      METHOD OF ADMINISTERING AN ANTIBODY

Filed: April 14, 2000



Date received by the PTO:

::ODMA\MHODMA\iManage;188879;1

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EXHIBIT

B



Initials: HEW/RHU/ddg Docket No.: 1855.2007-001 Date: 12/27/00  
This acknowledges receipt of X CONTINUATION    DIVISION 53(b) as follows:  
X Application Transmittal Express Mail Label No. EL551546037US  
   Fee Transmittal w/copy    Statement of S/E Status  
X Specification - Total pages 76  
X Drawings    Formal X Informal - Total sheets 9  
   Executed Declaration/POA - Total pages     
   Copy of executed Declaration/POA from prior Application No.     
   Assignment w/Recordation Sheet w/postcard  
   Sequence Listing in Paper & CRF, Statement 1.821 (g)  
   Other     
   Check (\$)    )    Authorization to Charge all Fees

Applicant: Lee R. Brettman

X Continuation of Application No. 09/550,082 filed April 14, 2000

Title: METHOD OF ADMINISTERING AN ANTIBODY

Date received by the PTO:

::ODMA\HODMA\MANAGE;188869;1

PTO  
09/748960  
12/27/00

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EXHIBIT

C